

Garcia, Ariel

From: Bodner, Paul <Paul.Bodner@ct.gov>
Sent: Thursday, June 20, 2013 1:02 PM
To: Simcox, Alison
Cc: Farrell, Paul
Subject: RE: OWF statute

Hi Alison,

DEEP would like to withdraw the statute (CGS 22a-174k) from consideration for the PM2.5 SIP. DEEP is actively trying to get the statute revised for multiple reasons, including:

- 1) To include mandatory emission limits based on [EPA's voluntary Hydronic Heaters Program](#) (currently the statute addresses only setback distance, stack height and operating practices);
- 2) There is a flaw in the statute that could result in a period of time when OWF's are unregulated. In CGS 22a-174k(b), the statute specifies "*No person shall, from July 8, 2005, to the effective date of regulations promulgated by the United States Environmental Protection Agency to regulate outdoor wood-burning furnaces, construct, install, establish, modify, operate or use an outdoor wood-burning furnace, unless ...*". When EPA issues a regulation there will likely be a lag period between the date the EPA regulation becomes effective and the date that EPA's required emission limits must be implemented. During this period, neither the CT statute nor the EPA emission limits would apply.

It is also worth noting that withdrawal of the statute from the SIP approval will not change any of the emission estimates presented in the PM2.5 Maintenance Plan, since no emission benefit was calculated for the statute.

Hopefully this provides enough information to move forward with the redesignation without including the OWF statute in the SIP approval.

Thanks.

Paul

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